

Attorney's Docket No. TN273
Amendment

Serial No. 10/647,826
30 April 2007

REMARKS

Claims 1-25 and 30-33 are pending in the instant application. Claims 1-25 are allowed. Claims 30-33 stand rejected under 35 U.S.C. 112, second paragraph.

REJECTIONS UNDER 35 U.S.C. 112, SECOND PARAGRAPH

In paragraph 1 of the Office Action dated November 30, 2006 on p. 2, the Examiner asserts that claims 30-33 stand rejected under 35 U.S.C. 112, second paragraph. In asserting this rejection, the Examiner stated in part:

“Claim 30 recites, ‘a set of at least one processing modules for performing programmable processing tasks defined within the set of processing modules.’ The Examiner is unsure at to what ‘a set of at least one processing modules ...’ is a set of consists of two or more, so the Examiner is unclear of what Applicant is trying to state with this limitation concerning the number or arrangement of processing modules because the specification states processors and multiprocessors.” (EMPHASIS ADDED)

The Examiner seems to be asserting that under no circumstances can a set as commonly understood in the art could include only one element. In response, the Applicants maintain a set as commonly understood in the art may include any number of elements, including both zero elements (which is commonly understood to be “an empty set” or “a null set”) and one element. In support of this understanding, the Applicants submit pp. 16-17, entitled “CONCEPTS OF ALGEBRA - Algebra of Sets” from the CRC Standard Mathematical Tables, 27th Edition, 1984, in which algebra of sets includes the empty set and general notations of set having any number of elements. As such, the above quoted limitation of a set of at least one processing modules recites the use of one or more processing modules acting together to perform the recited functions.

With respect to the additional assertion that the limitations of “the set of processing modules” as recited is indefinite, the Applicant respectfully maintains that the set of processing modules refers to the set discussed above. If the Examiner asserts that this common use of the term “the set” to refer to a previously recited set is indefinite, Applicants respectfully request that the Examiner contact the undersigned counsel to assist in defining

***Attorney's Docket No. TN273
Amendment***

***Serial No. 10/647,826
30 April 2007***

an acceptable claim limitation for reciting this reference that would be acceptable to the Examiner.

With respect to the limitation of "a set of system processing modules" that the Examiner also asserts is indefinite, Applicants maintain that this language is also proper. This limitation refers to a set of system processing modules which are to be considered separate from the above mentioned set of processing modules where these system processing modules are used "for booting said computer system and launching processing tasks associated with the above-mentioned set of processing modules. Once again, Applicants respectfully request that the Examiner contact the undersigned counsel to assist in defining an acceptable claim limitation for reciting this reference that would be acceptable to the Examiner if the Examiner asserts that this common use of the term "a set" to refer to a different set of modules is indefinite.

In the Advisory Action, the Examiner refused to accept the above arguments making the cursory statement that "the arguments are not persuasive. It is still unclear as to what is being claimed." See Advisory Action at p. 2. In response, the applicants have amended the independent claim 30 to remove any reference to "a set" in the hopes of appeasing the Examiner. The Applicants are attempting to recite that the "processing modules" recited in the claim include any number of modules equal to ONE OR GREATER. The Applicants respectfully maintain that the claims as previously presented and as now amended properly recite this limitation. In light of these arguments, it is believed that the rejection based in Section 112 is overcome.

If the Examiner believes that the Applicants have still not recited definite claims under 35 U.S.C. 112, the Applicants respectfully request the Examiner contact the undersigned counsel to suggest what combination of English claim language that she would find acceptable.

Attorney's Docket No. TN273
Amendment

Serial No. 10/647,826
30 April 2007

CONCLUSION

Based on all these considerations and amendment, the applicant respectfully requests reconsideration and allowance of the claims. If any issues remain that preclude issuance of this application, the Examiner is again urged to contact the undersigned attorney.

Respectfully Submitted,

KESSLER, ET AL.

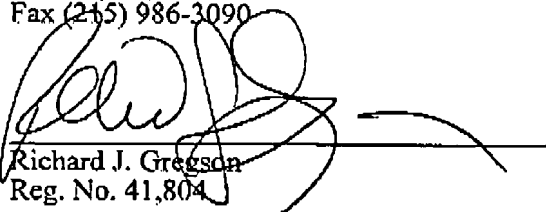
By their attorneys,

UNISYS CORPORATION
Unisys Way, MS/E8-114
Blue Bell, PA 19424
Phone (215) 986-3325
Fax (215) 986-3090

Date:

30 April 2007

By


Richard J. Gregson
Reg. No. 41,804